



# Town of Lancaster

## TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

January 7, 2015

Planning Board Members:

Neil Connelly, Chairman  
Rebecca Anderson  
Anthony Gorski  
Joseph Keefe  
Lawrence Korzeniewski  
Kristin McCracken  
Melvin Szymanski

Town Board Members:

Dino Fudoli, Supervisor  
John M. Abraham  
Mark Aquino  
Ronald Ruffino, Sr.  
Donna G. Stempniak

Engineering Consultant:

Robert Harris, Wm. Schutt & Associates

Town Attorney:

John M Dudziak

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held January 7, 2015. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil R. Connelly  
Planning Board Chairman

NRC:mn

Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the seventh day of January 2015 at 7:00 P.M, and there were present:

PRESENT: Neil Connelly, Chairman  
Rebecca Anderson, Member  
Anthony Gorski, Member  
Joseph Keefe, Member  
Lawrence Korzeniewski, Member  
Melvin Szymanski, Member

EXCUSED: Kristin McCracken, Member

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak (Arrived at 7:20PM)

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.  
Scott Pease, Assistant Building & Zoning Inspector  
Kevin Loftus, Deputy Town Attorney  
Mary Nowak, Recording Secretary

Meeting called to order by Chair Connelly at 7:00 P.M.

Pledge of Allegiance led by Member Joseph Keefe.

Minutes – A motion was made by Lawrence Korzeniewski to approve the minutes from the December 17, 2014 Planning Board Meeting. Motion seconded by Joseph Keefe and unanimously carried.

Administrative Item – None

**Town of Lancaster Planning Board**

**Communications - January 7, 2015**

- 01.07.01 Letter dated 12/19/14 from Richard and Sandra Pratt, 228 Peppermint Rd., expressing their concerns with the proposed development of Fox Valley Estates.
- 01.07.02 SEQR response from NYSDOT regarding rezone - The Fairways, Genesee St.
- 01.07.03 Letter dated 12/20/14 from Andrew and Jeorganna Lennox, 232 Peppermint Rd., expressing their concerns with the proposed development of Fox Valley Estates.
- 01.07.04 Memo from Supervisor Fudoli regarding the Association of Town School and Annual Meeting.
- 01.07.05 Letter from Michael J. Metzger, dated 12/23/14, to Johanna Coleman, Town Clerk, with affidavit attesting to the fact the compete rezoning application for Broadway Single Family Detached Homes was forwarded to each property owner within 200 feet of the subject project.
- 01.07.06 Letter dated 1/5/15 from residents of Parkdale Dr. to Neil Connelly, Planning Board Chair, reiterating their concerns for the rezone petition of the adjacent property off Broadway, and also expressing a concern that should the property be rezoned and then sold, could "this open the way for the building of multifamily town houses or condominiums".

## ACTION ITEMS –

REZONE PETITION – 00 BROADWAY (116.00-1-13.11 & 116.00-1-18.21) PRESENT ZONING IS R-1 RESIDENTIAL DISTRICT & RCO RESIDENTIAL COMMERCIAL OFFICE. PROPOSED ZONING IS MRR-3 MULTI-FAMILY RESIDENTIAL DISTRICT THREE. CONSTRUCTION OF 46 SINGLE-FAMILY HOMES.

Michael Metzger, Metzger Civil Engineering presented to the Planning Board the rezone petition for 00 Broadway. Present zoning is R-1 Residential District & RCO Residential Commercial Office. Proposed zoning is MFR-3 Multi-family Residential District Three for the construction of 46 single-family homes. This will be a patio home development similar to Parkhaven which is located directly to the east of this project. Mr. Metzger stated that this type of development fits in with the Town's Comprehensive Plan and is consistent with the patio home development directly to the east. This project will have private roads with one entrance/exit on Broadway. The plan shows an emergency access to the development to the east (Parkhaven) which will have a locked gate and will not be for public use. The following items were discussed:

Drainage – Mr. Metzger stated that there is existing drainage along the west side of the property. A rear yard drainage system on this parcel will be accessible to the neighbors to the west on Parkdale Dr. The rear yard drainage system will probably be piping with yard drains and a swale which will flow to the existing wetland area. Mr. Metzger also said that the stormwater detention for this project is in compliance with current NYS standards.

Wetlands – Mr. Metzger told the Planning Board that the existing wetlands on this parcel were mitigated for the neighboring Parkhaven Project.

Floodplain – Mr. Metzger stated that FEMA will be updating the floodplain for this parcel, but he was not certain when the update will occur. The Planning Board stated that if the updated FEMA map is not implemented in the near future, some of the homes shown on the plan will be within the existing floodplain and cannot have basement. Homes built in the floodplain will require flood insurance. The Planning Board asked for more information regarding this situation and whether the applicant plans to build within the floodplain.

Traffic – Mr. Metzger stated that the residents of these patio homes would generate approximately 41 cars per hour during peak hours. The Planning Board stated that a traffic study will be necessary for this project.

Connectivity with Parkhaven – Council Member Donna Stempniak questioned why this project will not connect with Parkhaven, since they are both patio home developments. Mr. Metzger said that by not connecting, the residents of Parkhaven will not have to deal with additional and cut-through traffic. He also said that there will be two separate homeowner associations that would have to agree on a connection. Council Member Stempniak stated that as far as the traffic is concerned, speed bumps and reduced speed signs could be put in place since these are private communities with private roads. Mr. Metzger told the Planning Board that he will contact Parkhaven to discuss connectivity.

Access from Broadway – Mr. Metzger explained that there is a sufficient amount of space for the entry road to this project from Broadway. The Planning Board questioned whether the proximity of the entry road encroached on the neighboring property on Broadway and suggested that the entry road be shifted. Chair Connelly stated that he will need to look at the location of the proposed entry to this project and the proximity to the neighboring parcel.

The Planning Board asked Deputy Town Attorney Kevin Loftus if this rezone can be conditioned to allow only patio homes to be built on this parcel. Deputy Town Attorney Loftus stated that conditions on a rezone are allowable, but it can then be considered spot-zoning. He will look into this further before the next Planning Board meeting.

#### DETERMINATION

At the request of the applicant, this project is tabled to the next Planning Board meeting or a future Planning Board meeting. Applicant to address the following: 1.) Need to provide a traffic study. 2.) Provide information regarding wetlands. 3.) Whether homes will be built in the floodplain. 4. Address the possibility of connectivity with patio home development to the east (Parkhaven). A motion to table this project was made by Joseph Keefe, seconded by Anthony Gorski and unanimously carried.

Roll call vote as follows:

Chair Connelly - Yes

Lawrence Korzeniewski – Yes

Rebecca Anderson - Yes

Kristen McCracken – Excused

Anthony Gorski – Yes

Melvin Szymanski - Yes

Joseph Keefe – Yes

#### OTHER MATTERS –None

At 8:05 PM a motion was made by Lawrence Korzeniewski to adjourn the meeting. Motion seconded by Melvin Szymanski and unanimously carried.